

## Message Text

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INFO OCT-01 EUR-12 IO-13 ISO-00 OES-06 TRSY-02 ACDA-07

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COME-00 DLOS-06 DODE-00 DOTE-00 EB-07 EPA-01 ERDA-05

FEAE-00 FMC-01 H-02 INR-07 INT-05 JUSE-00 NSAE-00

NSC-05 NSF-01 OMB-01 PA-01 PM-04 PRS-01 SP-02 SS-15

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TO AMEMBASSY LONDON

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C O N F I D E N T I A L STATE 292821

E.O. 11652: GDS

TAGS: PLOS

SUBJECT: LOS: GROUP OF 17 MEETING AND U.K.  
CONSULTATIONS

SUMMARY. GROUP OF 17 DISCUSSED CERTAIN DETAILED PROBLEMS  
CONCERNING LOS ARTICLES ON ENFORCEMENT AGAINST VESSEL  
SOURCE POLLUTION. DURING BILATERAL TALKS, UK STRESSED  
IMPORTANCE OF APPROACHING NEXT SESSION WITH FIRM BUT  
OPTIMISTIC ATTITUDE ON ALL ISSUES INCLUDING COMMITTEE I.  
END SUMMARY.

1. US LOS TEAM HEADED BY TERRY LEITZELL, DEPARTMENT OF  
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STATE, AND INCLUDING REPS FROM DOD, COMMERCE, AND TRANS-

PORTATION, MET WITH GROUP OF 17 MARITIME STATE CONSULTING GROUP IN LONDON NOVEMBER 22. GROUP DISCUSSED ARTICLE 30 OF RSNT DEALING WITH ENFORCEMENT IN THE ECONOMIC ZONE BY THE COASTAL STATE AGAINST VESSEL SOURCE POLLUTION. DISCUSSION CENTERED ON USSR DESIRE TO AVOID ACTUAL ARREST AND DETENTION IN PORT IF FLAG STATE ASSUMED LIABILITY FOR DAMAGES. GROUP CONTINUED TO FEEL THAT THIS CONCEPT IN ARTICLE 30, PARA 7, WAS NOT ACCEPTABLE BOTH FROM COASTAL AND FLAG STATE VIEWPOINTS. USSR INDICATED WILLINGNESS TO DELETE PARA 7 IF AMENDMENTS TO SAME EFFECT COULD BE MADE TO PARA 6. GROUP REJECTED THIS AS DANGEROUS REOPENING OF A SETTLED PARAGRAPH. IT WAS GENERALLY AGREED

TO DROP PRESENT PARA 7, LEAVE PARA 6 AS IS, AND LOOK FOR PRACTICAL MEANS OF DECREASING NECESSITY FOR ARREST AT SEA AND THE CONSEQUENT DIVERSION TO AND DETENTION IN PORT. GROUP WILL MEET AGAIN IN LATE MARCH.

2. US TEAM MET WITH UK LOS TEAM AND LEITZELL MET WITH PARLIAMENTARY UNDERSECRETARY LUARD ON NOVEMBER 23. UK INDICATED SOME POSSIBLE FLEXIBILITY ON ISSUE OF COASTAL STATE SETTING OF VESSEL POLLUTION CONTROL REGULATIONS IN TERRITORIAL SEA, AT LEAST REGARDING EQUIPMENT. THEY WERE FIRM ON AVOIDANCE OF COASTAL STATE REGULATIONS ON CONSTRUCTION, DESIGN, AND MANNING OF VESSELS. IN RESPONSE TO US COMMENT THAT IT WAS DIFFICULT TO MOVE ON THIS ISSUE WHEN MARITIME STATES WERE NOT RATIFYING 1973 VESSEL POLLUTION CONVENTION, AMB. LOGAN AND PARLIAMENTARY UNDERSECRETARY LUARD BOTH UNDERTOOK TO PUSH UK RATIFICATION AND URGE ACTION BY OTHER MARITIMES. IT WAS AGREED TO HAVE FURTHER DISCUSSION BEFORE NEXT CONFERENCE SESSION WITH BOTH LOS AND TECHNICAL PERSONNEL PRESENT.

3. IN DISCUSSION OF ECONOMIC ZONE COMPLEX OF ISSUES, UK SAID THAT JOINT NEGOTIATION ON STATUS OF ZONE, REGIME FOR SCIENTIFIC RESEARCH, AND APPLICATION OF DISPUTE SETTLEMENT PROCEDURES MIGHT BE ADVANTAGEOUS. THEY URGED US TO MOVE FAST ON UAE PROPOSAL ON STATUS OF ZONE AND AUSTRALIAN PROPOSAL ON SCIENTIFIC RESEARCH. THEY SAID CONFIDENTIAL

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USSR AND FRANCE MAY DESERT US OTHERWISE AND UNDERCUT OUR EFFORTS. ON STATUS OF ZONE, UK SAID IT NEEDED CLEAR SIGNALS FROM US IF IT WERE TO BE HELPFUL AND SAID IT HAD BEEN CONFUSED BY US AT END OF LAST SESSION.

4. UK RAISED STRAITS OF MALACCA ISSUE, URGING THAT US NOT BE TOO NEGATIVE ON MALAYSIAN AMENDMENTS. UK URGED THAT MALAYSIA MAY BE CLOSE TO ACCEPTANCE OF STRAITS

REGIME AND SHOULD NOT BE DISCOURAGED.

5. UK RAISED SEVERAL POINTS ON DEEP SEABEDS ISSUES.

UK REP SAID WE MUST NOT USE THE TAKE IT OR LEAVE IT APPROACH WITH G 77 NOR GIVE THE IMPRESSION THAT WE ARE EXPECTING THE CONFERENCE TO FAIL. UK REP ASKED WHAT US WAS DOING ON DEEP SEABED LEGISLATION. HE THEN OFFERED ADVICE WHICH HE SAID WOULD ALSO BE OFFERED DIRECTLY IN WASHINGTON. HE FELT IT WAS USEFUL TO MAKE IT CLEAR TO THE G 77 THAT WE CAN LEGALLY MINE THE DEEP SEABED WITHOUT A TREATY. BUT HE COUNSELED AGAINST SUPPORT OR PASSAGE OF LEGISLATION BEFORE THE NEXT CONFERENCE SESSION. UK SUGGESTED AN ESCROW FUND FOR FUTURE SHARING OF PRESENT REVENUES FROM EXPLOITATION OF THE DEEP SEABED. UK REP SAID THEY HAD ASSUMED THAT LEGISLATION WOULD BE SITE SPECIFIC. HOWEVER, MINISTER LUARD ADVISED AGAINST SPECIFIC SITES, SAYING IT WOULD KILL ANY REAL NEGOTIATIONS IN THE CONFERENCE. LUARD AND LOGAN BOTH SPECIFICALLY REQUESTED ADVANCE CONSULTATION ON DETAILS OF LEGISLATION. WHILE UK HAS MADE NO DECISIONS ON LEGISLATION, IT WANTS TO COORDINATE WITH US BEFORE US LEGISLATION MOVES FORWARD SO THAT A SIMILAR APPROACH CAN BE TAKEN IF THE UK DECIDES TO LEGISLATE.

6. ON OTHER COMMITTEE I ISSUES, UK WANTED TO CLARIFY EC POSITION ON REPRESENTATION ON THE COUNCIL. SEVERAL EC MEMBERS OPPOSE AN EC SEAT WHILE OTHERS ACCEPT IT ONLY IF THE WEIGHT OF THE MEMBERS IS REFLECTED, BY EXAMPLE THROUGH WEIGHTED VOTING.

7. ON COMMITTEE I LOBBYING, UK SAID AMB. CISSE OF SENEGAL HAD APPROACHED EC AND SUGGESTED 10-DAY TALKS ON TECHNICAL ASPECTS OF DEEP SEABED MINING. AS HEAD OF CONFIDENTIAL

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EC COUNCIL BEGINNING JAN 1, UK IS ATTEMPTING TO ORGANIZE MEETING EARLY IN YEAR TO WHICH ALL HEADS OF LOS DELEGATIONS OF EC ASSOCIATED STATES (56 DEVELOPING COUNTRIES) WOULD BE INVITED. MEETING WOULD BE TECHNICAL IN NATURE BUT EC MEMBERS WOULD LOBBY IN CORRIDORS.

8. COMMENT. ON TACTICS, THEY SUGGESTED LEAVING PARTS II, III, AND IV ASIDE IN FACT AS WELL AS FORM UNTIL THERE WAS BREAKTHROUGH ON PART I. THEN, THEY STRESSED, WE MUST BE READY TO MAKE QUICK AND REASONABLE DEAL ON ECONOMIC ZONE STATUS AND SCIENTIFIC RESEARCH. UK STRESSED CONTINUALLY NEED TO BE FLEXIBLE AND OPTIMISTIC. OVERALL, UK SEEMS ANXIOUS TO REACH AGREEMENT ON A TREATY BUT CONCERNED THAT DEVELOPED STATES AND G 77 MAY BOTH LACK SUFFICIENT FLEXIBILITY TO ACHIEVE IT. ROBINSON

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